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Attorney for Defendant
DENIS GUTSU

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DENIS GUTSU, and
MAXIM GUTSU,

Defendants.

CASE NO. 2:23-CR-00272 DC

**STIPULATION AND ORDER SETTING
STATUS CONFERENCE FOLLOWING CASE
REASSIGNMENT AND EXCLUDING TIME
UNDER THE SPEEDY TRIAL ACT**

Date: October 29, 2024

Time: 9:30 a.m.

Court: Hon. Dena M. Coggins

1. This matter was previously set for a status conference on October 29, 2024, before United States District Judge Dale A. Drozd.
2. On October 8, 2024, Chief Judge Troy L. Nunley issued an Order Reassigning Case (ECF Docket Entry 53; hereafter referred to as the "Reassignment Order"). The Reassignment Order transferred the case from District Judge Dale A. Drozd to this Court for all further proceedings.
3. The Reassignment Order also vacated all currently set court appearances and directed the parties to select an appropriate future court appearance date consistent with Judge Coggins' criminal calendar. By this stipulation, Defendants Denis and Maxim Gutsu move to continue the matter for further status conference on January 24, 2025.

1 4. This case involves a charged conspiracy to commit money laundering by means of
2 the online resale of fraudulently acquired gift cards.

3 5. On October 18, 2024, United States Magistrate Judge Sean C. Riordan approved a
4 request by Attorney Todd D. Leras to substitute into this matter as counsel for Denis
5 Gutsu in the place of Denis Gutsu's prior defense counsel. (ECF Document 55).

6 6. According to the most recent stipulation continuing this matter (ECF Document 52,
7 paragraph 3.a.), the government has provided to defense counsel gigabytes of discovery
8 materials consisting of, among other items, credit card records, receipts, text messages,
9 and images obtained during surveillance or seized from digital devices. The discovery in
10 the case can fairly be described as voluminous. Substitute counsel is in the process of
11 obtaining this discovery material.

12 7. Defense counsel are in the process of conducting investigation of matters related to the
13 charged money laundering scheme.

14 8. Given ongoing defense investigation, defense counsel represent and believe that
15 continuance of the status conference is necessary. The purpose of the request for
16 continuance is to allow defense counsel time to conduct discovery review with their
17 respective clients, and to undertake defense investigation into potential defenses. The
18 government does not oppose the request.

19 9. Based on the above-stated facts, Defendants request the Court find that the ends of justice
20 served by continuing the case as requested outweigh the best interest of the public and the
21 Defendants in a trial within the time prescribed by the Speedy Trial Act.

22 10. For purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, *et seq.*,
23 within which trial must commence, the period of October 29, 2024, up to January 24,
24 2025, inclusive, is deemed excludable under 18 U.S.C. § 3161(h)(7)(A) and (B)(iv)
25 [Local Code T-4].

26 11. Nothing in this stipulation and order shall preclude a finding that other provisions of the
27 Speedy Trial Act dictate that additional time periods are excludable from the period
28

1 during which trial must commence.

2 Assistant U.S. Attorney Nicholas M. Fogg on behalf of the United States, and Attorney
3 Timothy Zindel on behalf of Defendant Maxim Gutsu, have reviewed this stipulation and authorized
4 Attorney Todd D. Leras via email to sign it on their behalf.

5 Dated: October 22, 2024

/s/ Timothy Zindel

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7 TIMOTHY ZINDEL
8 Attorney for Defendant
9 MAXIM GUTSU
(Per email authorization)

10 Dated: October 22, 2024

/s/ Todd Leras

11
12 TODD LERAS
Attorney for Defendant
DENIS GUTSU

13 Dated: October 22, 2024

14 PHILLIP A. TALBERT
United States Attorney

15 */s/ Nicholas M. Fogg*

16 By:

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18 NICHOLAS M. FOGG
19 Assistant United States Attorney
20 (Per email authorization)
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ORDER

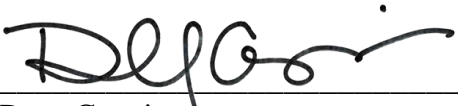
BASED ON THE REPRESENTATIONS AND STIPULATIONS OF THE PARTIES, it is hereby ORDERED that a status conference is set before United States District Judge Dena M. Coggins on January 24, 2025, at 9:30 a.m. in Courtroom 8.

The Court further finds, based on the representations of the parties, that the ends of justice served by continuing the case as requested outweigh the best interests of the public and the Defendants in a speedy trial.

Time shall be excluded under the Speedy Trial Act, 18 U.S.C. § 3161 (h)(7)(A) and (B)(iv), Local Code T-4, to allow necessary attorney preparation, taking into consideration the exercise of due diligence, for the period from October 29, 2024, up to and including January 24, 2025.

IT IS SO ORDERED.

Dated: October 26, 2024


Dena Coggins
United States District Judge